The following site is being submitted for inclusion into the GIS registry:

This is a:	New Submittal
BRRTS ID (no dashes):	0308000077
Comm # (no dashes):	54915931590
County:	Calumet
Region:	Commerce
Site name:	Darboy Pizza
Street Address:	N9690 County Rd N
City:	Appleton
Closure Date	2000-05-02
Closure Conditions:	met
Offsite contamination?	No
Right-of-way contamination?	No
Contaminated media:	Groundwater
GPS Coordinates (meters in the	e WTM91 projection)
Easting (X):	653930.928536283
Northing (Y):	420242.005990269
Submitted by:	Cheryl Nelson

Checklist

\boxtimes	Final Closure Letter
\boxtimes	Copy of recorded deed Instrument for any property with GW >NR140 ES
\boxtimes	General Location Map
\boxtimes	Detailed Location Map showing property boundaries, buildings, etc for properties with GW >NR140 ES
	Latest Map(s) showing extent or outline of current GW plume
\boxtimes	GW flow direction
\boxtimes	MW(s) and/or potable wells
\boxtimes	Latest Table of GW results





Tommy G. Thompson, Governor Brenda J. Blanchard, Secretary

January 31, 2000

Ms. Christina Kerscher 628 Bowers Lane Kaukauna, WI 54130

May 2, 2000

See text box on page 2 for updated status based on receipt of requested information.

Subject:

Conditional Case Closure - Darboy Plaza

N9690 Ctv Hwv N

08

COMMERCE #54915-9315-90

DNR #03-05-000077

Dear Ms. Kerscher:

The above referenced site was reviewed for closure by Wisconsin Department of Commerce PECFA Site Review staff in response to the closure request prepared by your consultant, Key Engineering. The Wisconsin Department of Natural Resources (WDNR) transferred this site to the Wisconsin Department of Commerce on January 12, 2000 for regulatory oversight. It is understood that there is residual soil and groundwater contamination present on site that extends into the highway right-of-way. Using the standards established in NR 700, and the risk criteria of Comm 46, the Department has determined that this site does not pose a significant threat to the environment and human health and no further investigation or remedial action is necessary.

The following items are necessary to satisfy the conditions of closure:

- A notification must be placed on the property deed addressing residual soil and groundwater impacts. For case closure we will need a copy of the deed notification that contains the County Register of Deeds' recording information. Enclosed an example of a "Notice of Contamination to Property" for your use. If you wish to modify the language, submit a copy to this office for approval prior to filing.
- 2. All monitoring well and extraction well abandonment forms.

IMPORTANT: Before this case can be officially listed as "closed" on the Wisconsin Department of Commerce/Natural Resources computer database, you or your consultant must submit the requested information.

If, in the future, site conditions indicate that any contamination that remains poses a threat, the need for further remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

It is important to realize that if the land use conditions change in the future and the contaminated soil is disturbed, appropriate measures must be implemented to assure any residual contamination is managed following all applicable State of Wisconsin regulations and standards.

Page ∠ Conditional Closure Darboy Plaza – 54915-9315-96 N9690 Cty Hwy N, Town of Harrison

If you have any questions, feel free to contact me at (920)424-0025.

Sincerely,

Thomas Verstegen Hydrogeologist Department of Commerce

PECFA File - pf\pecfa\549\54915\931590\conditional close.doc Mr. Michael Matter - Key Engineering

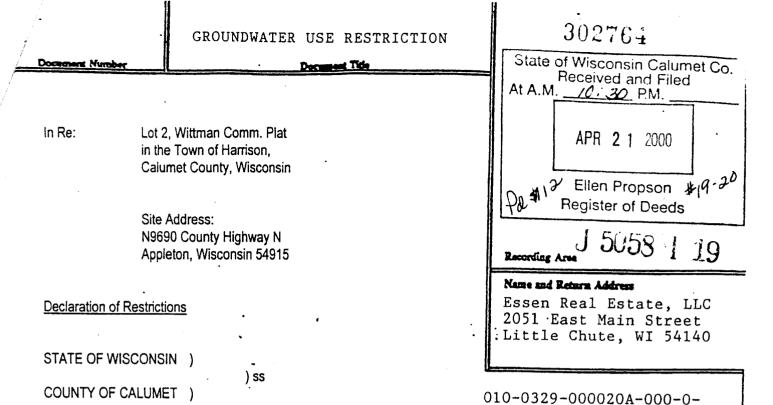
Case Closure

After review of the requested information submitted on May 2, 2000 by Key Engineering Group, the Department concludes that no further action is required at the above referenced site and is listed as closed on the Department of Commerce computer tracking system.

Thomas Verstegen

May 2, 2000

Hydrogeologist



201802-00-2200
Parcel Identification Number (PIN)

WHEREAS, are the owners of the above-described property; and

WHEREAS, one or more petroleum discharges have occurred at this property. Groundwater with residual benzene contamination above NR 140 enforcement standards exists on the property.

WHEREAS, it is the desire and intention of the property—wher to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding Chapter NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in Chapter NP. 809 is restricted by Chapter NR 811 and Chapter NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Wisconsin Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable prior to constructing or reconstructing a well on this property. No well shall be constructed or reconstructed on the property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors and assigns. The Department of Natural Resources, its successors or assigns may initiate proceedings at law or in equity against any person or persons

who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources or its successor issue a determination that the restriction set forth in this covenant is no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restriction contained herein can be extinguished. If the Wisconsin Department of Natural Resources determines that the restrictions can be removed, an affidavit can be recorded with a copy of the Wisconsin Department of Natural Resources' determination to give notice that the groundwater use restriction is no longer binding.

Signature:

Printed Name: Jose

loseph Vernager

Subscribed and sworn to before me

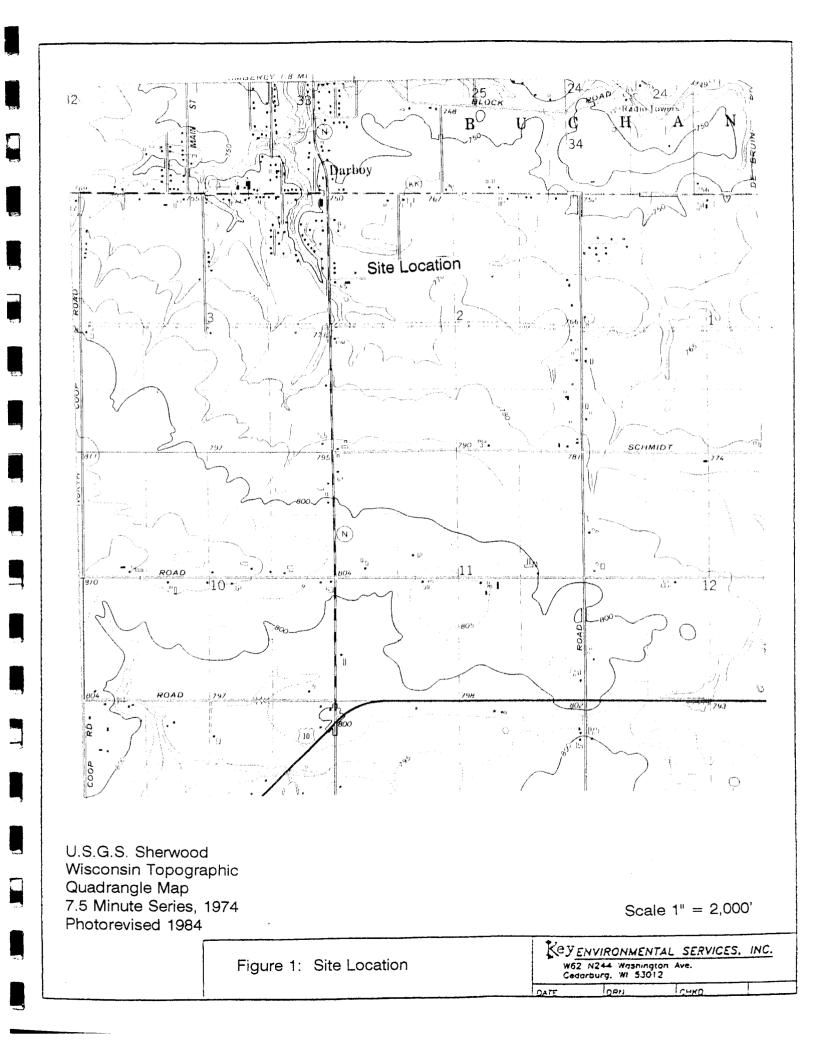
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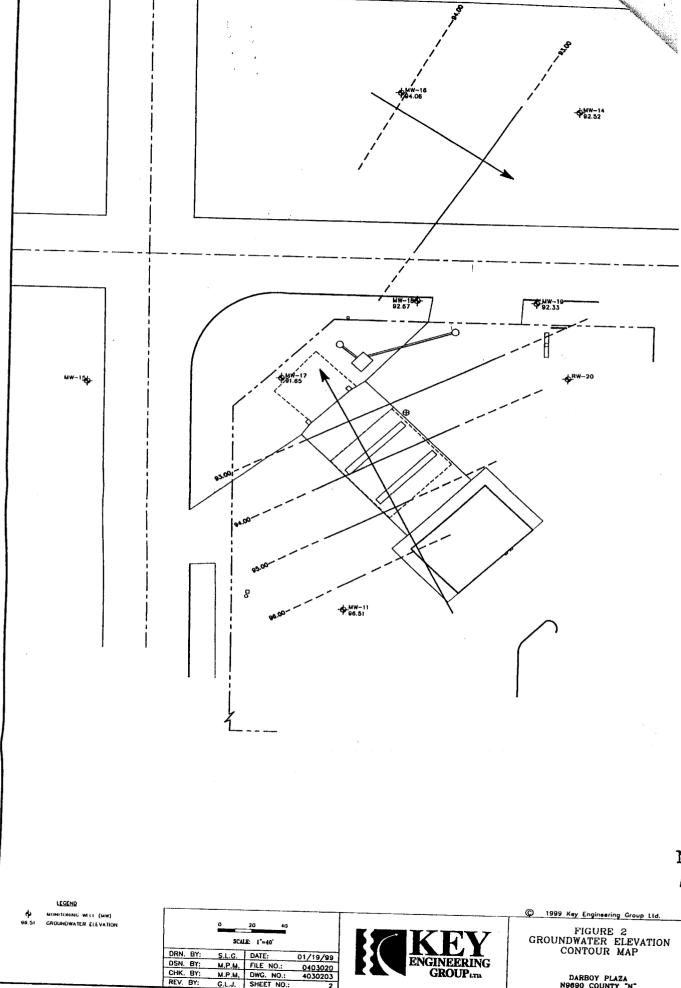
, 1999, 2000

4.5.2003

This document was drafted by the Wisconsin Department of Natural Resources.

H:\PROJECTS\1994\0403020\0403020.gw.wpd





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	SCA	Æ: 1°≃40'	
DRN. BY:	S.L.G.	DATE:	01/19/99
DSN. BY:	M.P.M.	FILE NO.:	0403020
CHK. BY:	M.P.M.	DWG, NO.:	4030203
REV. BY:	G.L.J.	SHEET NO.:	2

DARBOY PLAZA N9690 COUNTY "N" APPLETON, WISCONSIN

TABLE 1

SUMMARY OF GROUNDWATER MONITORING WELL ANALYTICAL RESULTS

QUARTERLY GROUNDWATER/SYSTEM PERFORMANCE MONITORING

DARBOY PLAZA N9690 County Highway N Appleton, Wisconsin

							SAMP	SAMPI E IDENTIFICATION	MOITA							GNUM	ar.
PARAMETER								MW-17							Ì	FS	PAI
Date	3/17/95	7/20/95	03/22/96	8/6/96	12/13/96	1015010	6/5/97	9/18/97	12/10/97	80/76/6	1 80/F/A	8/31/08	11/16/08 I	3/15/00	12/3/00		
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Ethylbenzene	4,500	160	610	370	49	099	140	110	120	099	1,300	110	200	440	7.	700	148
Toluene	840	3,600	3,600	860	<10	1,300	79	170	64	290	3,500	15	240	110	100	343	68.6
Xylenes	2,760	1,990	1,850	830	<20	1,890	74	288	185	1,380	3,980	93	620	200	130	620	124
TMBs	029	136	376	160	11	498	19.2	74	52.9 Q	558	1,100	64.10	509	209	43.5	480	96
MTBE	220	43	100	8	8	55	30	23	23	30	41	9.6	26	20	63	8	12

Notes:

--- no standard exists
- less than quantitative levels
Bold - indicates exceedances of NR140 ES
ES - NR 140 Enforcement Standard
GRO - gasoline range organics
MTBE - methyl-tert-butyl ether
PAL - NR 140 Preventive Action Limit
TMB - Trimethybenzene
µg/1 - micrograms per liter
VOCs - volatile organic compounds
WDNR - Wisconsin Department of Natural Resources

Page 1 of 3

SUMMARY OF GROUNDWATER MONITORING WELL ANALYTICAL RESULTS

QUARTERLY GROUNDWATER/SYSTEM PERFORMANCE MONITORING

DARBOY PLAZA N9690 County Highway N Appleton, Wisconsin

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ES - NR 140 Enforcement Standard
GRO- gesoline range acquaica
MTBE - methy-ferrang-budy other
NS - not sampled twels had not been installed)
NS' - not sampled twels force nonditions
NS' - not sampled twel Destroyed
NS' - Not sampled - Well Destroyed
WONR - Welsons or Department of Natural Resources
WDNR - Welsons in Department of Natural Resources

JAG X

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TABLE 3 (CONTINUED)

SUMMARY OF GROUNDWATER MONTORING WELL ANALYTICAL RESULTS

QUARTERLY GROUNDWATER/SYSTEM PERFORMANCE MONTORING

DARBOY PLAZA N9990 County Highway N Appleton, Wesconsin

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TABLE 3 (CONTINUED)

SUMMARY OF GROUNDWATER MONITORING WELL ANALYTICAL RESULTS

QUARTERLY GROUNDWATERSYSTEM PERFORMANCE MONITORING

DARBOY PLAZA N9680 County Highway N Appletor, Wisconsin

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